

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

CAROL WILLIAMS,

Plaintiff,

v.

CITY OF FEDERAL WAY, et al.,

Defendants.

CASE NO. 2:19-CV-1696-RSM-DWC

**ORDER DENYING STIPULATION
AND DISMISSING ACTION**

Plaintiff Carol Williams initiated this action pursuant to the Federal Tort Claims Act on October 21, 2019. Dkt. 1. On January 12, 2021, the Court directed Plaintiff to show cause why this case should not be dismissed for lack of jurisdiction. Dkt. 45. On January 29, 2021, the parties filed a Stipulation to Transfer Venue. Dkt. 49. The parties state that the United States District Court for the Western District of Washington is no longer the proper venue for this case because the United States of America and the United States Postal Service were dismissed from this action on January 8, 2021. *Id.* The parties request an order transferring this case to the King County Superior Court. *Id.*

1 Pursuant to 28 U.S.C. § 1631, a federal court may transfer an action over which it lacks
2 jurisdiction to another court in which the action could have been brought at the time it was filed.
3 However, § 1631 only allows transfer to another *federal* court, not a state court. *See Hadley v.*
4 *Hawaii Gov't Employees' Ass'n*, 281 F. App'x 683, 684 (9th Cir. 2008). Therefore, the Court
5 cannot transfer this case to the King County Superior Court, a state court.

6 As the parties stipulate venue is not proper and as this Court does not have the authority
7 to transfer this case to King County Superior Court, the Stipulation (Dkt. 49) is DENIED and this
8 action is DISMISSED.

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10 DATED this 2nd day of February, 2021.

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14 RICARDO S. MARTINEZ
CHIEF UNITED STATES DISTRICT JUDGE

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17 Recommended for Entry
this 2nd of February, 2021.

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19 /s/ David W. Christel
DAVID W. CHRISTEL
United States Magistrate Judge